



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2018

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.19240 of 2013

R.Rajathurai,
Headmaster,
Devaswom Higher Secondary School,
Mandaikadu,
Kanyakumari District.

... Petitioner

/Vs./

1. The Director of School Education,
Office of the Director of School Education,
College Road, Chennai - 600 006.

2. The Secretary,
Devaswom Higher Secondary School,
Mandaikadu, Kanyakumari District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider the past services of the petitioner under the non-provincialised service from 27.10.1978 to 12.02.1988 as Part Time Vocational Teacher for Banking & Accountancy for grant of Full Pension as per G.O.Ms.No.408, Finance (Pension) Department dated 25.08.2009 and consequently sanction the same within a reasonable time.

For Petitioner	: Mr.H.Elango for Mr.H.Thaiyumanaswamy
For Respondents	: Mrs.S.Srimathy Special Government Pleader

ORDER

The petitioner has joined as Part Time Vocational Teacher in the second respondent / Devaswom Higher Secondary School, Mandaikadu, Kanyakumari District and thereafter, he was appointed as PG Teacher (Commerce). The petitioner's service was regularised on 13.02.1988. Thereafter on 23.07.2002, the petitioner was promoted as Headmaster in the said School and retired on 16.11.2014.



2. The learned counsel appearing for the petitioner submits that the respondents have not given the benefit of G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009. Subsequently, several G.O.s were issued namely, G.O.Ms.No.131, School Education Department, dated 18.07.2013 and G.O.Ms.No.134, School Education Department, dated 22.07.2013 pursuant to the writ petition filed by similarly placed persons.

3. The learned counsel appearing for the respondents fairly conceded all the issues covered in G.O.Ms.No.194, School Education Department, dated 12.09.2018, as per which, the benefit has to be extended to the petitioner. The said G.O., has been passed subsequent to the decisions of the Principal Bench of this Court allowing the benefit to the persons like this petitioner.

4. Recording the same, the respondents are directed to extend the benefit to the petitioner in terms of G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009 and the latest G.O.Ms.No.194, School Education Department, dated 12.09.2018. The respondents are directed to pay the amount within a period of four weeks from the date of receipt of a copy of this order, failing which, the respondents should pay also the interest amount at the rate of 7.5% per annum for the entire period.

5. In the result, this Writ Petition is allowed. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Director of School Education,
Office of the Director of School Education,
College Road, Chennai - 600 006.

2. The Secretary,
Devaswom Higher Secondary School,
Mandaikadu, Kanyakumari District.

+ 1 CC TO Mr.H.THAYUMANAVASWAMY, ADVOCATE IN SR No. 99345
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 99475

SM
TE/BK/SAR-1 : 24/12/2018 : 2P/5C